
ABSTRACT

A screening-level analysis was used to assess the implementation effectiveness of selected State regulatory programs that address water quality and critical habitat protection in the Albemarle-Pamlico Estuarine Study area. The methodology of implementation analysis (as developed by Paul Sabatier and Daniel Mazmanian) was used to look at 17 individual programs in nine source categories (or "program areas").

The nine program areas addressed in this report are: (1) NPDES point source controls; (2) individual onsite treatment systems; (3) large or community-based treatment systems using subsurface disposal or land application; (4) urban stormwater regulations; (5) implementation of agricultural controls; (6) erosion and sedimentation regulations for construction; (7) marina siting and marine waste disposal; (8) critical aquatic habitat protection; and (9) wetlands protection.

The evaluation criteria used in this project are: (1) tractability of the problem; (2) clarity and specificity of program objectives; (3) soundness of underlying technical theory; (4) adequacy of resources and staff; (5) adequacy of incentives and sanctions; (6) accessibility to supportive constituencies; (7) adequacy of training and technical assistance; and (8) implementing agency's level of commitment to program objectives.

Findings specific for each criterion in each program area are detailed in the report. Also, for each program area, the report summarizes key issues of concern and provides a list of recommendations. Overall results indicate that staff shortages, particularly in positions assigned to compliance and enforcement, may be limiting program effectiveness. Several programs, which do not have formal permitting authority, lack the ability to assess permit fees and thus, suffer more seriously from year-to-year budget battles. With several exceptions, the underlying technical basis of most programs is sound, although continuing efforts are underway to refine program criteria and standards. General recommendations include the expanded use of permit fees and consumption taxes to support programs, the addition of paralegal staff to Regional Offices to carry out routine compliance and enforcement tasks for various programs, and the integration of diverse agencies and programs through a basinwide, and then watershed-by-watershed planning and assessment process that incorporates both point and nonpoint source concerns.